

Remarks

Claim 1 stands rejected as anticipated by Spector U.S. patent No. 6,015,160, Claim 2 stand rejected as obvious over Specter in view of Garth, Sr. U.S. patent No. 5,933,511, and Claim 3 stands rejected as obvious over Specter in view of Clegg et al. U.S. patent No. 6,490,362 and Lebertucci U.S. patent No. 5,353,975. It is respectfully submitted that the instant claims, as amended, clearly distinguish patentably over the prior art.

The present apparatus is intended for use by people who may need to use a megaphone for long periods of time, such as sports coaches, teachers, rescue workers, etc. The apparatus must be effective over considerable distances, which could of course be achieved by using a large amplifier and heavy batteries; it must however also be comfortable to use and to transport during extended use periods.

Although the safety helmet and PA system of Spector is clearly well-adapted for use by cyclists, it is not very practical for general use. The helmet itself is clearly an inconvenience, and it seems evident that the concentration of the amplifier, horn and batteries in a single belt-mounted box would produce extreme discomfort for the wearer after only a short period of use.

In contrast, the belt of the presently claimed megaphone apparatus incorporates a front panel 30, which serves to distribute the load over the wearer's abdominal region. Furthermore, the horn 12 is mounted centrally on the belt, in the most effective position for long-distance communication, with the battery pack 36

mounted separately at one end of the panel and the amplifier 9 mounted separately at the other end of the panel, the several units being interconnected by electrical conductors incorporated in the panel. Thus, the claimed arrangement provides very effective long-distance communication, combined with minimized weight and extremely comfortable weight distribution, and it is neither anticipated by Spector nor would it have been obvious thereover.

The Libertucci patent does not provide or suggest a comparable effective weight-distribution feature; it does not cure the deficiencies inherent in the Spector system, and it is rather incongruously combined therewith. The "receive/player" portion of the Libertucci stereo unit (which would probably include an amplifier and batteries) is mounted at the center of the panel, as in Spector. Furthermore, the positioning of lightweight speakers at opposite ends of the panel would not provide effective communication over a very great distance, without considerable increase in battery size and amplification power.

Finally, it is evident that neither Clegg nor Garth cures the deficiencies of Spector. Most notably, both are silent as to any means for optimizing comfort and effectiveness in a belt-mounted, battery-powered amplifier system of the character claimed by Applicant.

In view of the foregoing, it is respectfully submitted that the claims of the application define megaphone apparatus that is novel and patentable over the prior

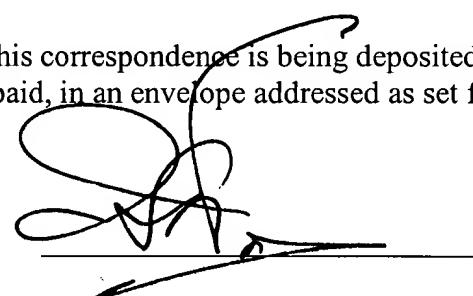
art. Withdrawal of the rejections and passage of the application to allowance are believed to be clearly in order. Such actions are earnestly solicited.

Respectfully submitted,
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CERTIFICATE OF MAILING

I, IRA S. DORMAN, hereby certify that this correspondence is being deposited with the United States Postal Service, postage prepaid, in an envelope addressed as set forth on the first page hereof, on September 8, 2004.



cc: Mr. Stephen A. Craske
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